



File Code: 1570-1 (215)

#08-01-00-0079

Date: December 13, 2007

H. Ed Melcher
Chairman
Families for Outdoor Recreation
P.O. Box 20275
Billings, MT 59104

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Dear Mr. Melcher:

I have received your appeal, on behalf of Families for Outdoor Recreation, of the Little Belt, Castle, and Crazy Mountains Travel Management Plan Record of Decision on the L&C National Forest.

Regretfully, I must dismiss your appeal as being untimely. The L&C Forest Supervisor's decision was published October 12, 2007. Your appeal was postmarked December 12, 2007, which is 61 days after the decision. Appeal regulations require filing an appeal within 45 days of publication of the decision. The 45-day period for filing an appeal cannot be extended.

Appeal Regulation 36 CFR 215.16(a)(1) states, "A Reviewing Officer shall dismiss an appeal without review when: (1) The appeal is not postmarked ... within the 45-day appeal filing period...."

This decision is the final determination of the Department of Agriculture and is not subject to higher level review [36 CFR 215.18(c)].

Sincerely,

/s/ Ray G. Smith (for)
KATHLEEN A. MCALLISTER
Appeal Deciding Officer

cc:
L&C NF

